

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/559,725	COSTONIS ET AL.
	Examiner Vanel Frenel	Art Unit 3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 10/02/07.
2.  The allowed claim(s) is/are 1-108.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 7/13/06
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**Notice to Applicant**

1. This communication is in response to the Appeal Brief on 10/02/06. Claims 1-108 are pending.

***Allowable Subject Matter***

2. Claims 1-108 are allowed. The following is an Examiner's statement of reasons for allowance in light of Applicant's arguments.

Claims 1, 28, 55 and 82 are directed to "selecting a subset of best practices from a predetermined set of best practices associated with a claims handling process; associating the subset of best practices with the responses; determining with the electronic data processing system a loss economic opportunity associated with processing the plurality of claims, where the loss economic opportunity includes a cost associated with processing the plurality of claims and is determined based on the responses; and identifying from the subset of best practices a best practice associated with processing the plurality of claims based on the loss economic opportunity".

The closest prior art of record, Hammond et al (5,712,984) discloses system for funding future workers' compensation losses.

Moore et al (5,930,759) discloses method and system for processing health care electronic data transactions.

Little et al (5,359,509) discloses healthcare payment adjudication and review system.

“SAP”, Andersen offer p-c product, Trembly Ara C National Underwriter discloses (Property & Casualty/Risk & Benefits Management) v102n16; PP:43; Apr 20, 1998, ISSN: 1042-6841; JRNL CODE: NUN DOC TYPE: Journal article Language: English; LENGTH: 1Pages WORD Count: 360.

However, none of the cited prior art discloses above fairly/ suggests “selecting a subset of best practices from a predetermined set of best practices associated with a claims handling process; associating the subset of best practices with the responses; determining with the electronic data processing system a loss economic opportunity associated with processing the plurality of claims, where the loss economic opportunity includes a cost associated with processing the plurality of claims and is determined based on the responses; and identifying from the subset of best practices a best practice associated with processing the plurality of claims based on the loss economic opportunity”.

Claims 2-27, 29-54, 56-81 and 83-108 incorporate the feature of claims 1, 28, 55 and 82 through their dependencies, and are also allowed for the same reasons given above.

A search has been conducted for a foreign prior art, however, none has been found.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zeender, Ryan Florian can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3627

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June 21, 2007

Andrew Joseph Fuchs  
Primary Examiner, A.U. 3627